

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KEVIN KELLY, ALISON LOPEZ, :
MICHAEL SALAZAR, DENISE :
AMIRANTE and PETER ZIEGERHOFER, : Civil Action No.: 08 CV 8708 (CS)
on behalf of themselves and others similarly :
situated, :
:
Plaintiffs, :
:
v. :
:
BLT STEAK LLC and RITZ-CARLTON :
HOTEL COMPANY LLC, d/b/a RITZ :
CARLTON WESTCHESTER, :
:
Defendants.
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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Settlement Agreement and all agreements attached thereto, the undersigned will and hereby do move this Court before the Honorable Cathy Seibel, United States District Court, Southern District of New York, 300 Quarropas Street, White Plains, NY 10601-4150, on January 22, 2010, or as soon as counsel may be heard, for an order preliminarily approving the class action settlement agreement and notice to the class.

Dated: January 21, 2010
New York, New York

JOSEPH, HERZFELD, HESTER &
KIRSCHENBAUM LLP

/s/ D. Maimon Kirschenbaum
By: D. Maimon Kirschenbaum

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